

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

KEREEM BUCHANAN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 18-cv-2906
)	
MEDICREDIT, INC.,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, *et seq.*, Defendant Medicredit, Inc. (“Medicredit” or “Defendant”), by and through its attorneys, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., hereby files a Notice of Removal of the above-captioned case to this Court and, and in support of removal, respectfully states as follows:

1. Medicredit is named as defendant in Index No. 5648-QCV-2018 filed in the Civil Court of the City of New York, County of Queens, styled Kereem Buchanan v. Medicredit, Inc. (the “State Court Action”).

2. The Petition in the State Court Action was filed with the Clerk of the Civil Court of City of New York, County of Queens on or about February 27, 2018; Medicredit was served on April 19, 2018. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings and orders served upon Defendant in the State Court Action are attached hereto as **Exhibit A**.

3. In the State Court Action, Plaintiff alleges that Defendant violated a federal statute, the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“FDCPA”).

4. Any civil action is removable if the plaintiff could have originally brought the action in federal court. See 28 U.S.C. § 1441(a).

5. Under 28 U.S.C. § 1331 this Court has original federal question jurisdiction over Plaintiff's FDCPA claims.

6. Accordingly, pursuant to 28 U.S.C. § 1441(a), Defendant has the right to remove the State Court Action to this Court, without regard to the citizenship or residency of the parties or the amount in controversy.

7. Defendant was formally served with the Summons and Petition on April 19, 2018. This removal is therefore timely pursuant to 28 U.S.C. § 1446(b).

8. By this Notice of Removal, Defendant does not waive any defense, jurisdictional or otherwise, which it may possess. Defendant also does not concede that Plaintiff has stated a claim against it.

9. Defendant will serve copies of this Notice of Removal upon Plaintiff and file a copy with the Clerk of the Civil Court of the City of New York, County of Queens, to effect removal of this action to the United States District Court pursuant to 28 U.S.C. § 1446(d).

WHEREFORE, in accordance with the authorities set forth above, Defendant hereby removes this action from the Civil Court of the City of New York, County of Queens, to the United States District Court for the Eastern District of New York.

Dated: New York, New York
May 16, 2018

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: /s/ Evan Citron

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CERTIFICATE OF SERVICE

I, Evan Citron, hereby certify that on May 16, 2018, I caused the within Notice of Removal to be electronically submitted to the Clerk of the Court for the U.S. District Court for the Eastern District of New York, and a copy of the within pleading to be served via overnight delivery, postage prepaid upon:

Subhan Tariq, Esq.
The Tariq Law Firm, PLLC
68 Jay Street, Suite 201
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Attorney for Plaintiff

s/ Evan Citron
Evan Citron

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